

08/26/2010

Amendments to Claims:

The listing of claims will replace all prior versions, and listings of claims in the application.

Listing of Claims:

1. *(Currently Amended)* A method comprising:
 - identifying, by a computer-based system for assessing a fee, a merchant with a disputed credit transaction in a period of time, wherein a predetermined threshold ratio of disputed credit transactions to total credit transactions is stored for the period of time;
 - determining, by the computer-based system, a number of the disputed credit transactions and a number of credit transactions involving the merchant in the period of time;
 - determining, by the computer-based system, a ratio of the number of disputed credit transactions to the number of credit transactions for the merchant; and
 - assessing, by the computer-based system, a fee against the merchant for each disputed transaction involving the merchant that exceeds the predetermined threshold ratio, in response to the merchant's ratio being at least equal to the predetermined threshold ratio,wherein the predetermined threshold ratio is set based on~~[[,]] at least, a first factor comprising~~ a transaction value amount of each of the disputed credit transactions of the merchant.
2. *(Previously Presented)* The method of claim 1, wherein the period of time comprises thirty days.
3. *(Previously Presented)* The method of claim 1, wherein the predetermined threshold ratio comprises a second factor of three percent.
4. *(Previously Presented)* The method of claim 1, further comprising:
 - establishing, by the computer-based system, the predetermined threshold ratio based on a second factor comprising an industry category including the merchant.
5. *(Previously Presented)* The method of claim 4, wherein the industry category comprises a standard industrial classification code.

6. *(Previously Presented)* The method of claim 1, further comprising:
 establishing, by the computer-based system, the predetermined threshold ratio based on a second factor comprising an average transaction volume of the merchant.
7. *(Previously Presented)* The method of claim 1, further comprising:
 determining, by the computer-based system, a number of time periods in which the ratio of the number of disputed credit transactions to the number of credit transactions for the merchant is at least equal to the predetermined threshold value, wherein a threshold number of time periods is stored in which the ratio of disputed credit transactions to total credit transactions may exceed the predetermined threshold ratio; and
 further assessing, by the computer-based system, the fee against the merchant for each disputed transaction that exceeds the predetermined threshold ratio, in response to the ratio is being at least equal to the predetermined threshold ratio for the period of time and the number of time periods for the merchant is at least equal to the threshold number of time periods.
8. *(Original)* The method of claim 7, wherein the threshold number of time periods is greater than one.
9. *(Previously Presented)* The method of claim 8, further comprising, before the assessing:
 generating, by the computer-based system, a notice for transmission to the merchant in response to the number of time periods for the merchant being greater than zero and less than the threshold number of time periods, the notice including: the ratio of the number of disputed credit transactions to the number of credit transactions for the merchant, the predetermined threshold ratio, the number of time periods for the merchant and the threshold number of time periods.
10. *(Previously Presented)* The method of claim 9, further comprising:
 transmitting, by the computer-based system, the notice to the merchant.
11. *(Previously Presented)* The method of claim 8, further comprising:
 generating, by the computer-based system, a notice for transmission to the merchant in response to the number of time periods for the merchant being greater than zero and less than the threshold number of time periods, the notice including at least proposed business solution for reducing the number of disputed credit transactions involving the merchant.

12. (*Original*) The method of claim 7, wherein the threshold number of time periods is based on an industry category including the merchant.

13. (*Previously Presented*) The method of claim 7, wherein the threshold number of time periods comprises a threshold number of consecutive time periods.

14. (*Currently Amended*) A method comprising:

calculating, by a computer-based system for assessing a fee, a ratio of disputed credit transactions to total credit transactions for each of a plurality of industry categories for a previous period of time;

determining, by the computer-based system, a first threshold ratio for a first of the industry categories based on a first factor comprising said calculating;

determining, by the computer-based system, a second threshold ratio, lower than the first threshold ratio, for a second of the industry categories based on the first factor, the second of the industry categories having a lower ratio of disputed credit transaction to total credit transactions in the previous period of time than the first of the industry categories;

determining, by the computer-based system, a ratio of disputed credit transactions to total credit transactions for a merchant in the first of the industry categories; and

assessing, by the computer-based system, a fee in response to the ratio of disputed credit transactions to total credit transactions being at least equal to the first threshold ratio,

wherein the first and second threshold ratios are set based on ~~[[.]] at least a second factor comprising~~ a transaction value amount of each of the disputed credit transactions of the merchant.

15. (*Cancelled*)

16. (*Previously Presented*) The method of claim 14, wherein the fee is assessed for each disputed credit transaction that exceeds the first threshold ratio.

17. (*Previously Presented*) The method of claim 14, further comprising:

determining, by the computer-based system, a first threshold number of time periods in which the ratio of disputed credit transactions to total credit transactions for a merchant in the first of the industry categories exceeds the first threshold ratio, based on said calculating; and

determining, by the computer-based system, a second threshold number of time periods, lower than the first threshold number of time periods, in which the ratio of disputed credit transactions to total credit transactions for a merchant in the second of the industry categories may exceed the second threshold ratio, based on said calculating.

18. *(Previously Presented)* The method of claim 17, further comprising:

determining, by the computer-based system, a ratio of disputed credit transactions to total credit transactions for the merchant for a plurality of previous time periods;

determining, by the computer-based system, a number of time periods in which the ratio of disputed credit transactions to total credit transactions of the merchant is greater than the first threshold ratio; and

assessing, by the computer-based system, a fee in response to the merchant's current ratio of disputed credit transactions to total credit transactions being at least equal to the first threshold ratio and the number of time periods for the merchant is at least equal to the first threshold number of time periods.

19. *(Previously Presented)* The method of claim 18, further comprising:

generating a notice for transmission to the merchant in response to the merchant's current ratio of disputed credit transactions to total credit transactions being at least equal to the first threshold ratio and the number of time periods for the merchant is less than the first threshold number of time periods, including a predetermined period of time in which the merchant must lower their ratio of disputed credit transactions to total credit transactions to avoid fees.

20. *(Currently amended)* A non-transitory, tangible computer-readable medium having stored thereon sequences of instruction, the sequences of instruction including instruction which, if executed by a computer-based system for assessing a fee, causes the computer-based system to perform operations comprising:

determine, by the computer-based system, an average ratio of disputed credit transactions to total credit transactions for each of a plurality of industry categories;

generate, by the computer-based system, a threshold ratio of disputed credit transactions to total credit transactions for a first of the industry categories based on, ~~at least,~~ a first factor comprising an automatically determined average ratio of disputed credit transactions to total

credit transactions and a second factor based on a transaction value amount of each of the disputed credit transactions of the merchant;

determine, by the computer-based system, a ratio of disputed credit transactions to total credit transactions ratio for a merchant in the first of the industry categories; and

assess, by the computer-based system, a fee to the merchant in response to in response to the merchant's ratio of disputed credit transactions to total credit transactions being greater than the threshold ratio of disputed credit transactions to total credit transactions, the fee applied to each disputed transaction involving the merchant that causes the merchant to exceed the threshold ratio of disputed credit transactions to total credit transactions.

21. *(Previously Presented)* The method of claim 1, wherein the predetermined threshold ratio is lower for higher value transactions.
22. *(Previously Presented)* The method of claim 14, wherein the first and second threshold ratios are lower for higher value transactions.
23. *(Previously Presented)* The medium of claim 20, wherein the threshold ratio is lower for higher value transactions.